CR-1303 S/N: 09/810,983



applicant:

Perry et al.

Serial No.: 09/810,983

Group Art Unit: 2671

Filed:

DEC 1 5 2004

March 16, 2001

Examiner: K. Nguyen

Title: SYSTEM AND METHOD FOR GENERATING ADAPTIVELY SAMPLED DISTANCE FIELDS WITH BOUNDED DISTANCE

TREES

Date of Deposit: Drumber 13, 2004

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service as FIRST CLASS MAIL addressed to: Mail Stop: Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

> Andrew J. Curtin Name of Depositor

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Terminal Disclaimer

Mail Stop: Non-Fee Amendment Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

This Terminal Disclaimer is submitted in response to the non-final Office Action dated November 24, 2004.

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REMARKS

Claims 1-12 are pending in the application. Claims 1-12 are rejected. All rejections are respectfully traversed.

Claims 1-12 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of Perry et al. (U.S. Patent No. 6,724,393). A terminal disclaimed is filed herewith.

All rejections have been complied with, and applicant respectfully submits that the application is now in condition for allowance. The applicant urges the Examiner to contact the applicant's attorney at the phone and address indicated below if assistance is required to move the present application to allowance. Please charge any shortages in fees in connection with this filing to Deposit Account 50-0749.

Respectfully Submitted,

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TER SADEMARKO

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A GRANTED PATENT

In re Application of: Perry, et al.
Application No.: 09/810,983
Filed: March 16, 2001

For: System and Method for Generating Adaptively Sampled Distance

Fields with Bounded Distance Trees

The owner, Mitsubishi Electric Research Laboratories, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of U.S. Patent Number 6,724,393. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and U.S. Patent Number 6,724,393 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of U.S. Patent Number 6,724,393, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

[X] The undersigned is an attorney of record.

Respectfully submitted,

MITSUBISHI ELECTRIC RESEARCH

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By:

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12/13/2004

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